

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KRANTHI GORLAMARI, Individually
and on Behalf of All Others Similarly Situated,

Plaintiff,

v.

VERRICA PHARMACEUTICALS, INC.,
TED WHITE, P. TERENCE KOHLER JR.
and A. BRIAN DAVIS,

Defendants.

Civil Action

No. 22-cv-2226

ORDER

AND NOW, this 11th day of January, 2024, upon consideration of Defendants' motion to dismiss for failure to state a claim, and the response in opposition thereto, and Defendants' reply, and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that:

1. Defendants' motion to dismiss (ECF No. 33) is **GRANTED in part and DENIED in part** as follows:

- a. The motion is **DENIED** as to Plaintiff's claims against Verrica Pharmaceuticals, Inc. and Ted White regarding Defendants' May-June 2021 statements.
- b. The motion is **GRANTED** in all other respects, and these claims are **DISMISSED WITHOUT PREJUDICE**.

2. Within **fourteen (14) days of the date of this Order**, Plaintiff may, if he can do so in good faith, file a second amended complaint in an attempt to cure the deficiencies outlined in the accompanying memorandum opinion.

BY THE COURT:

/s/ *Mitchell S. Goldberg*
MITCHELL S. GOLDBERG, J.